



12 October 2009

Sewall  
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136 Center St.  
Old Town, ME 04468  
207-827-4456

[Mr. / Ms full\_name]  
[company\_name]  
[street\_address]  
[city, state zip]

Dear [Mr. / Ms last\_name]:

The National Telecommunications and Information Administration (NTIA) of the U. S. Department of Commerce has been charged by Congress under the American Recovery and Reinvestment Act of 2009 and the Broadband Data Improvement Act (BDIA) to develop and maintain a comprehensive, interactive, and searchable nationwide inventory map of existing broadband service capability and availability in the United States that depicts the geographic extent to which broadband service is deployed and available from a commercial or public provider throughout each state (the Program).

The ConnectME Authority (the Authority) is responsible for developing and maintaining these data for the State of Maine and for serving as the conduit for this information to the NTIA. The Authority has contracted with James W. Sewall Company of Old Town, Maine, to undertake the initial mapping and to consult with the Authority on how best to update and maintain these data going forward.

We are writing to insure that you are familiar with this Program and to invite your collaboration in teaming with us in this important, statewide initiative. (See the URL's provided at the end of this letter for further information.) Indeed, your organization's collaboration is essential to the Program's success, and we thank you in advance for your participation.

To comply with the Program, the NTIA requires each state to provide structured data that includes:

- the availability of broadband service at the address level;
- advertised and "expected actual" speeds of broadband service;
- the technology used to deliver broadband service;
- location and capability of critical broadband related infrastructure (this data will not be publicly displayed on the national broadband map);
- the spectrum used by wireless broadband service providers.

We expect that the publicly searchable national broadband map and database will contain:

- geographic areas in which broadband service is available;
- the technologies used to provide broadband service in such areas;
- the speed at which broadband service is available in such areas;
- broadband service availability at public schools, libraries, hospitals, colleges, and all public buildings used by the state or municipalities.
- other economic or demographic data that may enable Federal efforts to provide usable and searchable data on a variety of issues pertinent to the public interest.

We recognize that some of the data we will ask you to provide is proprietary. Consequently, we include a non-disclosure agreement (NDA) for your review and execution. Please note, however, that the NTIA requires that this NDA may not restrict the Authority from providing all data collected to the NTIA or restrict the NTIA's use of such data as contemplated under this Program, including sharing such data with the FCC or other federal agencies. Furthermore, the NTIA prohibits the Authority or Sewall from agreeing to a more restrictive definition of Confidential Information than that adopted by the NTIA. Currently, as required under the BDIA, the NTIA identifies Confidential Information as any information, including trade secrets, or commercial or financial information, submitted under the Program that:


- identifies the location, type and technical specification of infrastructure owned, leased or used by a specific broadband service provider; or
- explicitly identifies a broadband service provider in relation to its specific service area or at a specific service location.

Confidential Information will not be made publicly available pursuant to the limits set forth in the BDIA except as required by applicable law or judicial or administrative action or proceeding, including Freedom of Information Act requirements. From the BDIA (§ 106(h)): "Notwithstanding any provision of Federal or State law to the contrary, an eligible entity shall treat any matter that is a trade secret, commercial or financial information, or privileged or confidential, as a record not subject to public disclosure except as otherwise mutually agreed to by the broadband service provider and the eligible entity." Sewall was chosen to lead this task in part because of its long history of handling confidential information for a variety of industries. Finally, should your organization apply for a Broadband Technology Opportunities Program (BTOP) grant to support the deployment of broadband infrastructure in unserved and underserved areas, enhance broadband capacity at public computer centers or to encourage sustainable adoption of broadband service, the NTIA requires that you participate in this mapping Program.

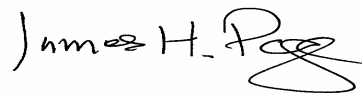
The NTIA has set a very aggressive Program schedule, with many deliverables due by November 2009 and all initial deliverables due in March 2010. Consequently, a representative from the Sewall team will be contacting you soon to discuss any questions you may have and to facilitate completion of the NDA and your participation. If we should be in communication with others in your organization concerning either the NDA or the data transfers, please inform the Sewall representative as soon as possible.

Thank you again and we look forward to working with you.

Sincerely,



Phillip W. Lindley, Executive Director  
ConnectME Authority



James H. Page, CEO  
James W. Sewall Company

URLs for:

[www.maine.gov/connectme](http://www.maine.gov/connectme)

[www.ntia.doc.gov/press/2009/BTOP\\_mappingtotals\\_090909.html](http://www.ntia.doc.gov/press/2009/BTOP_mappingtotals_090909.html)

[www.sewall.com](http://www.sewall.com)